

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:16 CR 48-4**

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|-----------------------------------|---|--------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Vs. |) | ORDER |
| |) | |
| WENDY MICHELLE PENNINGTON, |) | |
| |) | |
| Defendant. |) | |
| <hr/> |) | |

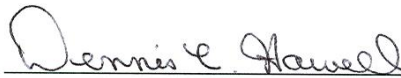
THIS MATTER came before the undersigned for the purpose of conducting a hearing pursuant to Rule 11 of the Federal Rules of Criminal Procedure of Defendant as a charge contained in the Bill of Indictment. At the call of this matter on for hearing, it appeared the Defendant was present with her counsel and the Government was present through AUSA Kenneth Smith. The undersigned advised the parties that from a review of the Factual Basis (#50) it appeared to the Court that the Factual Basis that had been filed did not comply with the Superseding Order of the United States District Court for the Western District of North Carolina regarding the information and facts that are to be included in a factual basis document. 3:14mc05 (#2) The Court then provided the parties with a period of time in which they could either amend the factual basis document or file a new factual basis document. Later, during the morning of October 19, 2016, the Defendant and the Government requested that the Court continue the plea hearing to give the parties sufficient time to comply with the instructions of the Court. The undersigned was

advised that the trial of this matter was not scheduled until January 2017 and as a result, the undersigned will grant the motion to continue the plea or Rule 11 proceeding.

ORDER

IT IS, THEREFORE, ORDERED that the oral motion of the parties to continue the plea or Rule 11 proceeding in this matter is **ALLOWED**.

Signed: October 31, 2016



Dennis L. Howell
United States Magistrate Judge

